

Appl. No.: 09/617,587
Amendment dated March 21, 2006
Reply to Office Action of November 30, 2005

REMARKS

STATUS SUMMARY

Claims 1-11 are pending in the present application. Claims 1-11 are rejected. In this Amendment, claims 1, 6 and 11 have been amended. Applicant has considered the above-identified Office Action and cited references, and replies as set forth below.

DRAWINGS

The Examiner objected to the drawings because Figures 1 and 2 require labeling of all essential elements. Attached to the present Amendment is a corrected drawing sheet on which Applicant has added proper labels for the elements in Figure 1. As regards Figure 2, Applicant respectfully traverses the objection. As fully explained in the specification, Figure 2 illustrates a time history of a sampled signal. Figure 2 includes an axis labeled "time," differently hatched blocks depicting signal portions, and arrows indicating delays and durations. The meaning and nature of all elements depicted in Figure 2 would be clear to one of ordinary skill in the art. Therefore, Applicant respectfully submits that the objection has been overcome, and respectfully requests that the objection be withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 112

Claims 1 – 10 and 11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As regards claims 1 – 10, the rejection relates to the use of

Appl. No.: 09/617,587
Amendment dated March 21, 2006
Reply to Office Action of November 30, 2005

the phrase “assumed position.” As regards claim 11, the rejection relates to uncertainty relating to the phrase “start and end position.”

As indicated above, Applicant has amended independent claims 1, 6 and 11 to clarify the subject matter being claimed. Applicant respectfully submits that these amendments overcome the rejections under 35 U.S.C. § 112, and therefore respectfully requests that the rejections to claims 1 – 10 and 11 be withdrawn.

The Examiner states that claims 1, 6 and 11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph. The Examiner also states that claims 2 – 5 and 7 – 10 would likewise be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claims and any intervening claims. Therefore, in view of the amendments made to independent claims 1, 6 and 11, and in view of the dependency of claims 2 – 5 and 7 – 10, Applicant respectfully submits that all pending claims, claims 1 – 11, are now in condition for allowance.

Appl. No.: 09/617,587
Amendment dated March 21, 2006
Reply to Office Action of November 30, 2005

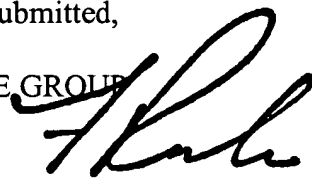
CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Office Action.

Respectfully submitted,

THE ECLIPSE GROUP



Date: March 21, 2006

By:

Francisco A. Rubio-Campos
Registration No. 45,358
The Eclipse Group
26895 Aliso Creek Rd.
Suite B-104
Aliso Viejo, CA 92656-5301
Phone: (818) 488-8147
Fax: (949) 480-0024

Customer No. **34408**